

Planning Commission Minutes
February 20, 1996

Present: Chairman Elaine McKay, Vice Chairman Dick Dresher, Mark Green, Mike Holmes, Lois Williams, Don Milligan; Sam Fowler, City Council Representative; Rusty Mahan, City Attorney; Jack Balling, City Engineer; Blaine Gehring, Planning Director; Connie Feil, Recording Secretary.

Absent: Ken Cutler and Dean Jolley.

Elaine McKay welcomed all those who were present. The minutes were modified with the following:

15. The Pace property in question is secured/purchased before final approval. Also a recommendation for final approval for the alternate plan if the property is not purchased.
16. The alternate plan be recommended for preliminary and final approval if the Pace property is not secured or purchased.

Mark Green made a motion to approve the minutes for February 6, 1996 as modified. Sam Fowler seconded the motion and voting was unanimous.

There was no one present for item #3 for Conditional Use approval for a Telecommunications Center. This will be presented later on the agenda.

Site Plans

1. Consider preliminary and final site plan approval for Dick's Market at 2250 South Orchard Drive.

Dick Dresher excused himself from voting on this item for professional reasons. Reed Larsen, representing Associated Foods, and Kent Winegar, representing Dick's Market, were present. Blaine Grehing explained that this property was rezoned last year to General Commercial for the purpose of placing a new Dick's Market on the site. Our purpose tonight is to approve the preliminary and final site plan for Dick's Market.

Since the rezone the Staff has met with the developers. A small bank and Dominos Pizza have been incorporated in the front corner of the market. The developers asked for an entrance from 2200 South that was denied. In the Public Hearing it was specifically mentioned that there will be no entrance from 2200 South. The Ordinance requires 10% of the site to be landscaped. Dick's Market will exceed this and have 20.7% of the site in landscaping. There will be a block wall around the back of the building 6 feet high. The Staff has reviewed the plans and recommends the following additions and correction:

1. The sidewalk on Orchard Drive be removed and a new 4 foot wide sidewalk be

constructed along Orchard Drive 6 feet from the curb. The new 6 foot parkstrip to be landscaped with grass.

2. The entrance at 2250 South be designed as a street entrance with 20 foot minimum radius on curb returns and an inlet box and drainage pipe to pick up the flow on Orchard Drive to eliminate the waterway.
3. The curb and gutter be removed and reconstructed to city standards on the store frontage in 2200 South.
4. The developers pay for one half the cost of sidewalk on the south side of 2200 South along the existing homes from 200 West to Franklin Farms Subdivision.
5. Change the following:

The developers pay a portioned share of the storm drainage fee based on the calculations on the storm retention on the site. The developers are providing for a portion of the required storage. The overflow will be piped into the storm drain on 2200 South.
6. Provide the City with a 7 foot wide easement along the perimeter of the property and deed a 6 foot strip along Orchard Drive for the sidewalks.
7. Provide the City with a 7 foot wide utility easement along the culinary water, power, telephone and gas lines.
8. Dedicate 2350 South along the property and construct all required street improvements to the City standards.
9. Provide a 6 foot high masonry wall along the west and south property lines and complete the details on the retaining walls.
10. The zoning ordinance requires that the ends of all rows in a parking lot be landscaped. Due to the more than adequate landscaping on the site (20.7% where the ordinance calls for only 10% min.) and the difficult traffic flow into the parking lot from Orchard Drive, Staff is recommending that this be waived to allow for more efficient snow removal.
11. Complete all final building plans as required by building codes and city ordinances.
12. Pay all fees and post bonds as required by the City.

The Staff recommends sending a favorable recommendation for preliminary and final site plan approval to the City Council subject to the conditions outlined above.

Reed Larsen, representing Associated Foods, introduced himself, Mic Johnson, Scott Balling and Dick Drescher, all involved in the development of this project. Mr. Larsen said that they were all

present to answer any questions anyone might have.

There was a discussion about the height of the fence, who is responsible for maintenance of it, the size of the retaining wall on the west side of the store, and the fence around the detention pond? Around the perimeter of the property there will be a 6 foot masonry wall and Dick's Market will be responsible for all maintenance. For the retaining wall there will be a series of three walls terracing down with 4 feet of landscaping between each wall. During the heaviest of storms there will be only about 2 feet of water in the detention pond and it will drain out very quickly. Most of the water from the storms will be detained in a 36 inch pipe under ground and released in the storm drain running down 2200 South, therefore, it will not be necessary for a fence around the detention pond.

The discussion continued with concerns for lighting in the parking lot and around the perimeter of the property. All power lines will be underground and all lights will be on poles with down cast lighting. Surrounding neighbors will not have the glare from bright lights.

Elaine McKay opened the Public Hearing to hear the concerns of the public in attendance.

Patricia Stowell asked if there is going to be a sidewalk on the south side of 2200 South and what the cost will be? Mr. Balling explained that there will be a sidewalk on the south side of 2200 South from Orchard Drive to 200 West. The cost will be divided between Dick's Market and the developer.

Linda Thornell was concerned about the additional traffic coming off 2200 South and during the construction of Dick's Market are the residents going to have long disrupted utility service? Mr. Balling assured Mrs. Thornell that when the traffic warrants a traffic light one will be installed. The utility service will not be disrupted for a long period of time. When the electrical service is connected to the market there could be some disruption for a short period of time and they will be told in advance.

Barbara Wolf was concerned about her existing landscaping when the sidewalk goes in. Mr. Balling explained that there will be a 4 foot park strip and a 4 foot sidewalk along 2200 South. This 8 foot strip of property belongs to the City not the property owners and all landscaping will be removed for the sidewalk.

Jerry Jordan appreciates the City for upholding the agreements made last year with this project. Mr. Jordan does have some concerns about the drainage from heavy storms. Is the spillover from the drainage basin going to cause some flooding? Mr. Balling explained that all the water will be stored and drained in an elaborate storm drain system underground. When there is a heavy storm and the water is being stored in the drain system then the detention basin will hold the extra water. After the storm has past the water then will drain from the detention basin into the drain system. All water drainage from this property will go into the storm drain there will not be any water going into the gutter.

Leon Hoffman asked if all water goes into the underground system why is there flooding on 2200 South? Mr. Balling mentioned that curb and gutters have been put in along 2200 South and a wall

around the corner to reflect the water down 2200 South. There should not be any flooding and no one has reported any to him. The City tries to keep the draining grates cleaned out. If someone is being flooded they need to report it and Mr. Balling will check why the flooding is happening.

Shauna Strong has some concerns with what has been proposed on the site plans will they be done the same way or can it be altered without permission? What will be the starting and ending dates on this project? Mr. Gehring explained that the purpose of the Planning Commission is to comply with all ordinances and when inspected they meet all requirements of the ordinance and the site plan approval.

Mr. Winegar added that they would like to begin sometime between the middle of March or first of April and be completed sometime in October.

David Thornell noted that there are two access roads into the market. One coming in from Orchard Drive and another from 2350 South. Mr. Thornell would like to know if the commercial trucks will be using both entrances or only one? Mr. Larsen showed Mr. Thornell that the loading docks are on the west side of the market. The commercial truck will enter from 2350 South drive around to the back and continue around and exit on 2350 South.

Les Merrill has some concerns about the lighting in and around the property. Mr. Larsen assured Mr. Merrill that the lighting will be reflected down. The lights will not reflect any light off the property. Mr. Gehring also mentioned that this is a requirement by ordinance.

Thalia Ashby has some concerns about other commercial business moving on this property. It was explained to Ms. Ashby that there would not be enough parking for any other business and the only business will be Dick's Market.

Rebecca Auger has concerns about who will pay for the sidewalk on the north side of 2200 South? She feels that it isn't fair to the home owners to pay this extra expense. Mr. Balling and Mr. Fowler explained to her that the City will pay for one-half and the home owners would pay one-half. This procedure has been the same throughout the City.

David Thornell has real concerns about the height of this market. He is concerned that it will be too tall and not fit with the neighborhood. Mr. Thornell would like someone to help him find out what this building really is going to look like as far as the height. Mr. Thornell was told that it would not exceed the required height and if he wished to contact the owners he could do so. The Planning Commission will not require this of the owners.

Elaine McKay closed the Public Hearing thanking all those who came to express their concerns and opinions. Mike Holmes made a motion to recommend to the City Council preliminary and final site plan approval for Dick's Market on 2250 South Orchard Drive subject to items 1-9 and 11-12 holding item 10 for the approval from City Council. The motion was seconded by Don Milligan and passed by majority vote. Dick Drescher abstained from voting.

Conditional Use Permit

1. Consider granting a conditional use permit and preliminary site plan approval for a telecommunications center and tower at approximately 1650 E. 500 North, Western PCS II

Corporation, applicant.

Rusty Mahan explained that this is a request for a tower located by the "B" for telephone communications. Mr. Mahan is proposing that the Public Hearing be held to hear the applicants and, if any, comments from the public. The Staff is suggesting that there be a discussion with the applicants and with the Planning Commission on some appropriate sites. Mr. Mahan will look into the legal situation in terms with the recent Telecommunications Act, concerning telecommunications, which has been passed. The applicants are not expecting any final decision tonight. The Staff is asking to table this issue for two weeks, meanwhile, the applicants will be looking for other locations for the tower.

Gordon Bell, consultant for JM Consulting Group, and John Bristol, representing Western PCS II Corporation, applicants were present. Mr. Bell is requesting to install a telecommunications Center and tower at approximately 1650 East 500 North. Mr. Bell and Mr. Bristol have met with the Staff discussing some concerns that the City has with this project. Mr. Bell has done some research and is ready to present some alternatives based on the discussions with the Staff. Mr. Bell presented some photographs showing what the tower will look like. Mr. Bell is proposing a 40 foot area, which will be fenced, with a 11'x20'x8' equipment building and a 35' monopole which holds an antenna on top. Electrical and phone services will be needed at the site. The site will be graveled on the interior to help prevent weeds and for access purposes. The site is visible so the pole will be painted to blend in with the background. There will be some landscaping around the outside fence to screen the building and have it blend in with the surroundings. One concern of the City is the current site. Mr. Bell has looked at some alternate sites in this area and prefers one at the Bountiful Shooting Range. This is on Forest Service Property and takes about 2 years to get a permit. This length of time is too long for their purposes.

John Bristol explained that one of the reasons the Telecommunications Act was passed is there has been a monopoly between US West and ATT on cellular phones. The FCC has recognized the changes in the technology and the demand for wireless communications. With the new technology the competition will be greater. The competition will have better quality, less expensive equipment and smaller structures. Western PCS II Corporation submitted an application with the FCC and has succeeded in getting six of their bids. The tower heights have been minimized for maximum coverage.

Mark Green asked if some other companies have focused on multiple tower sites along the I-15 route? Is it this company's function to put these towers on the hill verses other companies locating theirs along I-15? Mr. Bristol mentioned that their plan will have approximately 70 sights stretching from Provo to Logan with one site here in Bountiful. The location where these towers are located does have a lot to do with the amount of area covered. The higher the tower the more area can be received.

Mike Holmes has concerns about, when a subdivision is built, what kind of impact is this going to bring on the home owners and are other companies going to want to do the same? Mr. Bristol mentioned that the only impact on home owners would be a visual one. If this pole was put in a parking lot no one would notice. These poles look like a street light or a parking lot light. There will

be very little maintenance, no noise and no interference for television, radio etc. reception. Because of the new technology the pole being used is capable for expansion. If other companies came with a system that is compatible with our pole they would not be disregarded.

A Public Hearing was opened for any further comments. Carl Kingston, representing the property owners adjacent to this site, has some concerns with this tower being built on this particular site. Within the next few years the surrounding property will be developed into single family homes. Mr. Kingston feels that this structure will not be wanted by the home owners. He feels that there should be another alternative site for this and he knows that there is other property available. Rusty Mahan mentioned that maybe Mr. Kingston could meet with Mr. Bell and Mr. Bristol about another site.

Bruce Dickamore, representing Ralph Keller, is also concerned with this tower being built on this site. Mr. Dickamore and Mr. Keller have proposed a development south of this property and the visual contact is a major concern. He feels that this will be noticeable alone the mountain side. He also agrees that there is other property available and this should be considered.

The Public Hearing was closed. Rusty Mahan suggested that this be put back onto the agenda in two weeks. It has been agreed to look into the legal aspect and an alternative site.

Mike Holmes made a motion to table this proposal for two weeks. Motion was seconded by Dick Drescher and voting was unanimous.

Subdivisions

1. Consider final approval of the Ridge Estates of Maple Hills Plat B Amended Subdivision at 1864 E. Ridge Point Drive.

Mindy Collier, applicant, was present. Blaine Gehring explained that the Colliers received a conditional use permit to divide their lot into two lots with one being a flag lot. They have now completed the subdivision of this lot and are requesting preliminary and final approval. Jack has reviewed the plat and recommends preliminary and final site plan approval subject to the following conditions:

1. The completion of the plat to the requirements of the City Engineer including the dedication of the circle for a public street.
2. Completion of the legal requirements by the City Attorney necessary to vacate Lot 5 of Ridge Estates.
3. Submission of a title report showing the exact description as shown on the subdivision plat.
4. Payment of the subdivision checking fee-\$60.00.
5. Payment of the recording fee as required by the County.

6. Payment by the lot owner of water, sewer, power and other none-city fees at the time the building is issued for Lot 502. Including all costs for installation of the utilities.

The Staff recommends sending to the City Council final approval for the Ridge Estates of Maple Hills Plat B Amended at 1864 East Ridge Point Drive.

Rusty Mahan mentioned that this will go to the City Council as an amendment to the Ridges Estates of Maple Hills Subdivision. Vacating lot #5 from the subdivision and approving it as a new subdivision with two lots #501 and #502.

Mike Holmes made a motion to recommend final approval for the Ridge Estates of Maple Hills Plat B Amended at 1864 East Ridge Point Drive. Lois Williams seconded the motion and voting was unanimous.

Meeting adjourned at 8:45 P.M.